

REMARKS/ARGUMENTS

The Claims in the case are 1-5, 12, and 16. Claims 9-11 and 13-14 were cancelled in the preliminary amendment filed June 15, 2006. Claims 6-8, 15 and 17-18 were cancelled in the previous paper filed May 21, 2008.

The Examiner has made a second restriction requirement listing 9 groups. Applicants again traverse the restriction, and again propose that Groups III, IV, VI, and VIII be combined and searched together. This joinder would not present an unreasonable search burden on the examiner.

Nonetheless, Applicants provisionally elects Group IX, the catchall group, and suggest that the Examiner define the elected group as compounds wherein

$a^1-a^2=a^3-a^4$ is N-CH=CH-CH and

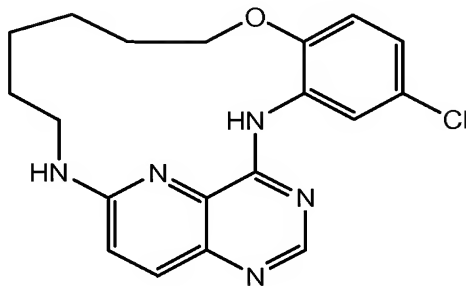
Z is NH;

X^1 is NH;

X^2 is O;

and Y is as defined in the application.

For search purposes, Applicants elect as species, the compound 1 having the name of 7*H*,19*H*-4,6-ethanediylidenepyrimido[4,5-*b*][13,1,4,6]benzoxatriazacyclopentadecine, 17-chloro-8,9,10,11,12,13-hexahydro-.



The structure of this compound is

which is the compound prepared in Example B1 at page 41 of the Specification. The elected compound falls within the proposed subset of Group IX. The claims remaining in the application: 1-5, 12, and 16, read on the elected group.

CONCLUSION

Reconsideration of the restriction requirement in view of the arguments above is respectfully requested. Examination on the merits is respectfully requested.

Respectfully submitted,

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